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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,258	02/21/2002	Thomas Borg	3061-69940	7680

7590

12/10/2003

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Indianapolis, IN 46204

EXAMINER

BOMAR, THOMAS S

ART UNIT	PAPER NUMBER
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3672

DATE MAILED: 12/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/069,258

Applicant(s)

BORG, THOMAS

Examiner

Shane Bomar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-12, 15 and 18-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 9 and 10 is/are rejected.
- 7) ☒ Claim(s) 3, 4, 6-8, 11, 12, 15 and 18-24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claims 22-24 are objected to because of the following informalities: The recitation of protrusion in each of the claims should most likely be --protrusions--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1, 2, 9, and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent 3,701,389 to Egnelov et al.

Regarding claim 1, Egnelov et al disclose a locking device for a wireline core drill comprising an inner tube 3 by means of which core samples are collected, and an outer tube 1 connected to a drill bit 2 (see Figs. 1a, 1b, and 2). The locking device is applied in the rear end of the inner tube 3 wherein the locking device comprises locking members 15 designed so that when the inner tube has been inserted into the outer tube and has assumed the correct position inside the outer tube for drilling (see Fig. 1b), in one and the same movement, it simultaneously effects mechanical locking of the inner tube in relation to the outer tube and mechanical release of a gripping means 13 of an accompanying device 8 connected to the inner tube 3 (see col. 1, lines 39-59 and col. 2, lines 12-23).

Regarding claim 2, the locking device also comprises gripping means 10 that, when the inner tube 3 is to be retracted from the outer tube with the aid of a retriever device 8 comprising gripping means 12, and the gripping means 12 of the retriever device 8 come into contact with

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the gripping means 10 of the locking device, in one and the same movement, shall engage the gripping means 12 of the retriever 8 and simultaneously release the inner tube 3 from its locked position in relation to the outer tube 1 (see col. 2, lines 24-36).

Regarding claim 9, Egnelev et al inherently disclose a wire line core drill system comprising a locking device as applied to claim 1 above (see claim 12).

Regarding claim 10, Egnelev et al inherently disclose a method for wire line core drilling using a wire line core drill comprising an inner tube 3 by means of which core samples are collected, and an outer tube 1 connected to a drill bit 2 (see Figs. 1a, 1b, and 2). The inner tube 3 is provided with a locking device to position the inner tube in the correct position in the outer tube for drilling (see Fig. 1b), and to firmly lock the inner tube 3 to the outer tube 1 in the correct position by means of first locking members 15, wherein the inner tube 3 is inserted into the outer tube 1, whereupon the first locking members 15 are in a retracted position and second locking members 10 of the locking device mechanically lock a gripping means 13 of an accompanying device 8 connected to the inner tube 3 during insertion, until the inner tube 3 has assumed the correct position in the outer tube 1, and when the inner tube 3 has assumed the correct position, the locking device, in one and the same movement, simultaneously effects mechanical locking of the inner tube 3 to the outer tube 1 and mechanical release of the gripping means 13 of the accompanying device (see col. 1, lines 39-59 and col. 2, lines 12-36).

Allowable Subject Matter

4. Claims 3, 4, 6-8, 11, 12, 15, and 18-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Response to Arguments

5. Applicant's arguments with respect to claims 1, 9, and 10 have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shane Bomar whose telephone number is 703-305-4849. The examiner can normally be reached on Monday - Thursday from 7:00am to 4:30pm. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bagnell can be reached on 703-308-2151. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.


David J. Bagnell
Supervisory Patent Examiner
Art Unit 3672

tsb 
December 4, 2003